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A
REPLY
TO
Mr. JOHN PARKINSON,
ON THE
WELTON INCLOSURE.

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MR. JOHN PARKINSON

OF

WELTON INCORPORATED

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Mr. John Parkinson,

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WELTON INCLOSURE.

BY

THE REV. E. WALLS.

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A
REPLY
TO
Mr. JOHN PARKINSON,
ON THE
WELTON INCLOSURE!

SIR,

HAVING been from home above two months, I could not sooner reply to you.

I addressed my former letters immediately to you, not only because you appeared to me the chairman, and delivered the sentiments of the commission; but because, after I had pointed out some errors in the commissioners' valuation, you then said, "I was sacrificing Miss Massingberd's property to my own interest."

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The credit of a faithful attention, during eleven years, to the property, the education, and the health of Miss Massingberd, cannot be shaken by your MALICIOUS and unfounded assertions.

Had I remained silent, I might have been condemned by some of my friends, I might have condemned myself. I told you at the out-set of this business, that I courted only investigation and truth. I told you afterwards, that I would most readily subscribe to what YOU COULD PROVE, but not to what you SHOULD SAY; and my first letter was addressed to you in such strong terms, that I conceived, before the award was signed, a fair disinterested investigation and inquiry into the whole of this business must be the result.

Miss Massingberd's guardians and friends would not have consented to an inclosure, had the proprietors objected to the proposal, that her three allotments, (*viz.*) one in lieu of tythe, one in exchange for the estate and manor of Iwhaite, and one for her portion of open field land, should be set out contiguous to each other, and to the mansion at Gunby; and

and that all three allotments should be ring-fenced at the sole expence of the proprietors.

The proprietors of Welton would not have consented to an inclosure, had Miss Massingberd's guardians and friends, with these advantages, asked more than a seventh in lieu of the tythe of the open field land. Nor would they be directed by other persons.

For, on an accurate calculation, made at the time, of the expence to the proprietors of ring-fencing the two extra allotments, a full sixth was given to Miss Massingberd in lieu of tythe; and when Mr. Hudson calculated that expence, he said Miss Massingberd had got more than a sixth.

Upon these terms only, the Bill went into Parliament.

Had that large portion of low lands next Orby been good water meadow; had that allotment been of the quality and value we all supposed; or had an inquiry taken place before you and Mr. Hudson signed the award; the interest of, and conveniency to, Miss Massingberd might have appeared in a different point of view. An allotment of near THREE

HUNDRED acres, contiguous to the mansion at Gunby, must have been deemed by her friends no inconsiderable acquisition to that domain: and had I succeeded in my journey into Essex, and procured an exchange of two pastures in Orby, the allotments would have been more complete; and, Sir, you will not find in Miss Massingberd's accounts one single shilling charged for that journey.

I will now briefly touch upon some particulars in your letter.

About the eleventh of October, as I believe, Mr. Mackinder, Mr. Robert Dawson, and other farmers from Welton, came to settle with the commissioners some parochial accounts relative to fencing, which the act directed the commissioners to pay for. "That they came at my own particular request, to be examined as to the quality and value of the lands," I utterly deny. The fact, if you and your letter-writer wish it, shall be PROVED by the affidavits of the parties themselves. They are all living. I do not recollect that even their coming to Spilsby on that day was known to me. Some of them afterwards told me, there

was

was much warm altercation;—an unusual test (surely) of that coincidence in opinions, which you say then prevailed.

How the clause in the act which directs Miss Massingberd's allotment to be contiguous to Gunby, "by any ingenuity, invention, or master-stroke of policy of mine, confined the Commissioners to dispose of one seventh of the most distant field lands AGAINST THEIR WILLS," I do not see.

Manœuvring like this in inclosures, I never before heard of, and could not conceive it practicable.

The Commissioners were not confined by any clause in the act, even to the South field, in fixing Miss Massingberd's three allotments. They might have rejected the low lands next Orby. They might have gone nearer to the village of Welton.—They had at their disposal the whole of the North field: therefore I have no idea that the clause confining the commissioners to fix only Miss Massingberd's ~~TITHE~~ allotment in the South field could compel them to give (as you intimate) one seventh part of the most distant land to her, when

there were other lands not less convenient and more contiguous.

When you say "that I prevailed upon Lord Gwydir to accept Miss Massingberd's Twhaite-farm for the protection of his game, and bargained with his steward for all his homesteads in Welton town, by giving in exchange my own distant field land," I can scarcely think you serious. Any thing so notoriously untrue (asserted only by you) is sufficiently answered by a flat denial, which I give most expressly and unequivocally.

The exchanges of the manor and estate at Twhaite, for lands adjoining to Gunby, was always held to be an exchange mutually convenient; and his Lordship has ever expressed his earnest wish, that Miss Massingberd might have in that exchange the most full and ample compensation. Such are the very conditions of the exchange.

Had that exchange been properly attended to, I think we should not have seen the present division; and you would not have been reduced to the paltry excuse, of saying, "that you had *forgotten* the manor of Twhaite," nor to the
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the flimsy pretence of taking counsel's opinion, nor to the necessity, after many months, of giving an allotment for it.

Respecting the charge of inclosing the small estate at Welton purchased by the Governors of Queen Ann's bounty (concerning which I never BEFORE received the least information) I must tell you, that paragraph was added some weeks after the letter was written, in consequence of one of your Spilsby friends magnifying that expence, and adducing it as a reason for such a disproportion in the open field allotments. That estate would never have been thought on, had not such an idea been produced and propagated by your own friend; and I think him now so much mistaken, that had you allotted for the expence of inclosing that estate perhaps *double* the quantity of land, that allotment would have been more equitable.

However specious to readers not much acquainted with the quality of the lands at Welton, your valuations may appear upon paper; yet those who know every pasture, and every furlong; those, who have observed the
lands

lands at the time of cropping for a series of years; those who have seen the property of every owner both before and after the inclosure, all those believed that there was, an error, and believe so still; for now your printed valuations have confirmed their former opinions,

I must tell you that Mr. Hudson called upon me on Saturday the fourteenth of December, 1793, above a year after he had viewed and valued the lands. From the opinions I then stated to him, he was very much inclined to think there was an error in the Welton inclosure. He said he had more than once looked over a great part of a nobleman's estate in the northern part of Lincolnshire, and he had never looked it over a second or a third time, without seeing reasons to change his opinion; and he left me with this declaration, "that he would CERTAINLY get the Commissioners together, and look the exchanges and allotments at Welton over and over again." Had Mr. Hudson done that, the proprietors think he would never have signed the present award.

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The two open fields at Welton consisted nearly of an equal quantity of land. There are intelligent farmers who say, "lease the whole of the north and the south field at the same rent per acre, and we would prefer the north field, as being land more convertible to uses generally profitable." Your estimation of my allotments, I think now fully proves, that your comparative valuations of the lands at Welton were erroneous, and it appears to me that you have been mistaken in the high preference given to some particular old inclosures.

At the thirty-sixth page of your Letter, you say "the Commissioners proposed to take off the stagnant water from Miss Massingberd's estate, had not the measure been opposed by me under the dreadful idea that the Gunby waters would too hastily issue upon the Boothby lands."

There are no stagnant waters upon Miss Massingberd's lands. A long expensive drain was to have been cut, and a sluice put down, upon the most visionary and impracticable of all schemes, at the charge of the proprietors of Welton.—I opposed that.

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Any one, who has the least local knowledge of the country, must see, that I could not possibly have any dread of the Gunby waters pressing upon the Boothby Estate; for the Commissioners of Sewers would never have suffered the Welton Commissioners to divert the Gunby waters and take them by a circuitous course, thro' the parishes of Orby, Willoughby, Hogsthorpe and Mumby-Chapel, to the sea, which have for years gone by a nearer direction, thro' Braytoft and Croft, into Wainfleet haven. As you are an acting Commissioner of Sewers, I think you, Sir, particularly unfortunate in this observation; and the more so, as in the Welton inclosure business, you had the Clerk of the Sewers for your Solicitor.

You appeal to a letter I wrote to you: When we publicly mention letters, we are bound in honour to state the whole of them, partial quotations from some letters, and the suppression of others, you and *your letter-writer* must know, will give to any thing the APPEARANCE of truth.

In the month of January 1793, I wrote to you two letters. In the first I say, "that confidence

fidence in gentlemen, who act in a public capacity, is, in my idea, for the public good; and therefore, tho' by mistake (as none of us are infallible) I should be a loser, yet I would rather sit down by some loss, than give to others any light cause of distrust. The wish of all is an equitable and fair proportion; and if upon review any mistake should appear to have crept in, all may be fairly adjusted in the *money payment.*"

The commissioners solemnly pledged themselves, that all errors should be rectified when they fixed the money payment.

In my second letter of the same month, being impressed with these full assurances, and that near sixty Acres of Miss Massingberd's allotment would be prime water-meadow, and that the other part, was, (as you stated to me) good pasture, and good plowed land, I rested with confidence on the Commissioners, and expressed myself satisfied. But near twelve months after the date of my letter, when the errors were not, or perhaps could not, be rectified in fixing the money payment, and when it appeared to me that the Commissioners were
mistaken

mistaken in the valuation of Miss Massingberd's allotment, I sought other redress. Was this sacrificing Miss Massingberd's property? If it has not been sacrificed to ERROR by others, it has not been sacrificed to INTEREST by me. I think you have PARTIALLY quoted every letter I have written to you. Tho' this is an address to you, yet with you I feel little concern. With my NEIGHBOURS I feel much indeed. And I cheerfully appeal to them, whether my two letters written to you so long back as the month of January 1793, or any other REAL transaction of mine, give them cause to suspect, that I have been actuated by a spirit of personal and captious opposition, or by any sinister motives whatsoever.

I then thought there were errors that materially affected the interests of Miss Massingberd and my son. I am in my own mind now thoroughly convinced there are: And I have, at this moment, the conscious satisfaction of having done my duty by using my best endeavours to get these errors rectified; and your late colleague, Mr. Garrard, honestly feels much, that you have shut out all redress.

Mr.

Mr. Garrard, who modestly styles himself *Carpenter*, has before been a Commissioner of inclosures. He has also been employed with you and others in valuing and dividing an estate between Miss Massingberd and her uncle. He was then thought a very intelligent man; and his integrity has been held, for a series of years, in the highest veneration by all his neighbours.

The purport of Mr. Garrard's correspondence with you was wholly unknown to me, before you produced his first letter at my house, on the twenty-third of September. His second letter was taken from his memorandums, on the fifth of January last.

Mr. Garrard was aware you would insinuate that his second letter was dictated by others. — You have not disappointed him. You are little acquainted with Mr. Garrard's real character. He gave me the second letter from his memorandums, at my house, in the presence of a third person. That third person, and many others, can testify my instant astonishment at seeing the letter. I recollected the twenty-third of September, when you had so
unfairly

unfairly suppressed it. Never Sir put yourself in competition with Mr. Garrard as a letter-writer; and *hirelings* may lead you into errors.

Mr. Garrard was told that many opinions concurred on the valuation of the lands at Welton, and from such concurrent opinions, conceiving it not impossible that there might be an error, and thinking if there was an error it was not so likely to be discovered by poring over plans and valuations at the White-Hart Inn in Spilsby, as by going into Welton-fields, He, previously to the last harvest, and when the lands were in full cropping, took an accurate review of every allotment.—What was the result? He was self-convicted. And had you and Mr. Hudson reviewed the lands at the time of harvest, three successive years, (for there were three years cropping before you and Mr. Hudson *only* signed the award), both of you might have been self-convicted too.

You and Mr. Hudson never saw much the greater part of the lands at Welton and its three hamlets, WHEN TOGETHER, but once: Yet, with confidence unparalleled, from that
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one view you have stated, and you both NOW insist upon, the comparative worth of such an extent of property, to the minute accuracy of *one penny per acre*.

You have, before, both expressed doubts—you have taken together no second view—you have admitted of no evidence. Every proprietor of lands at Welton is interested in the answer; therefore permit me humbly to ask you, from what source has arisen this recent, full conviction? Before the award was signed, and before the publication of the two former letters, such high-toned language was not held out, but surely you don't mean to substitute for proof, only high-toned language.

Not trusting to my own judgment, I sent to a farmer, who had for some years occupied one of the largest farms at Welton (but who has now more considerable concerns) and desired him carefully to look over Miss Massingberd's and my allotment. I paid him out of my own pocket. He thought there was an error. The allotments were afterwards examined by judges of land as intelligent and impartial as any commissioners upon earth. They too were

of the same mind. I then proposed to you to have the opinions of Mr. Elmhirst, Mr. Maxwell, Mr. Ansell, and Mr. Craycroft. Persons more competent and respectable could not be proposed, and the two first were experienced commissioners.

I have heard no disinterested opinion coincide with yours — The Solicitor has been often told, that disinterested opinions have not coincided with yours; therefore, in some period of this long, unpleasant business, he may perhaps have thus addressed you:—"Gentlemen, my situation very often points out the necessity of recommending the most rigid scrutiny for the INVESTIGATION of truth. The wisest may err. An error here will have upon the property a permanent effect. The comparative worth of the lands at Welton is not a speculative opinion, but the object of sense and experience; and when proprietors think they have fair grounds to believe there is an error, and have proposed, at any expence, merely as evidence before you sign the award, to have a report from Mr. Elmhirst, Mr. Maxwell, Mr. Ansell, and Mr. Craycroft, it must

must appear just and reasonable in you not to reject ability and integrity like theirs."

I would have spared no trouble or cost, while redress was open to Miss Massingberd and my Son. But, Sir, though you have, by a strong ACT of POWER, closed the door against all inquiry, and consequently against all redress, yet surely you don't mean to screen yourself behind valuations of your own coining, but you will come forward, and prove to the several proprietors who think themselves aggrieved, that there are *not* errors in your comparative valuations of the lands at Welton, by TESTIMONY as disinterested and respectable as *that* proposed to you.

When you met two gentlemen at my house on the twenty-third of September last, you had received from Mr. Garrard *two* letters. One, suiting your purpose, you readily brought forward; one, not suiting your purpose, you cautiously kept back. Had you not cautiously kept back the second letter, it would have clearly appeared that the Welton Commissioners were not THEN unanimous, but that there was a wide difference in their opinions; the reverse of which you spared no pains to make us believe.

But,

But, had the wide difference in the opinions of the commissioners been that day made known, had you even hinted that Mr. Garrard had altered his former opinions; had you candidly told us, that he had taken a review of the lands at Welton before harvest, and was convinced that there was an error, what would the Gentlemen, whom we both purposely met for a full explanation of the Welton inclosure business, then have suggested to us?

I am thoroughly convinced, that they would have suggested to us a mode of fair disinterested inquiry and investigation, which you could not have withstood, and which would have been highly satisfactory to every proprietor of lands in Welton; and then, I most firmly believe, we should never have seen the present award.

I am, Sir,

Spilsby.

Your humble Servant,

June 8th, 1796.

E. WALLS.

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